



**SENATE AMENDMENT 3,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 185**

August 5, 2009 – Offered by COMMITTEE ON COMMERCE, UTILITIES, ENERGY, AND RAIL.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 10, line 14: before “may include” insert “shall include
3 decommissioning and”.

4 **2.** Page 10, line 17: delete “WIND SITING” and substitute “WIND ENERGY SYSTEM”.

5 **3.** Page 11, line 6: after that line insert:

6 “(d) The commission shall promulgate rules requiring the owner of a wind
7 energy system to maintain proof of financial responsibility ensuring the availability
8 of funds for decommissioning the wind energy system upon discontinuance of use of
9 the wind energy system. The rules may require that the proof can be established by
10 a bond, deposit, escrow account, irrevocable letter of credit, or other financial
11 commitment specified by the commission.”.

1 **4.** Page 13, line 8: after that line insert:

2 “(1m) The treatment of section 196.378 (4g) (d) of the statutes first applies to
3 wind energy systems that commence operation on the effective date of this
4 subsection.”.

(END)